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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,665	11/12/2003	Manoj Khangaonkar	SVL920030058US1	2592
34663 7590 02/05/2009 MICHAEL J. BUCHENHORNER 8540 S.W. 83 STREET MIAMI, FL 33143				
EXAMINER DEBNATH, SUMAN				
ART UNIT 2435		PAPER NUMBER		
NOTIFICATION DATE 02/05/2009		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/712,665

Applicant(s)

KHANGAONKAR ET AL.

Examiner

SUMAN DEBNATH

Art Unit

2435

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5, 8-10 and 18-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5, 8-10 and 18-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 5, 8-10 and 18-22 are pending in this application.
2. Claims 5 and 18 are presently amended.
3. Claims 1-4, 6-7 and 11-17 are cancelled.
4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action.

Claim Rejections - 35 USC § 103

5. Claims 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (Patent No.: US 6,604,104 B1) and further in view of Grovit et al. (Pub. No.: US 2003/0074310 A1) (hereinafter "Grovit").

6. As to claim 18, Smith discloses a method for transmitting high-level data in real time to one or more enterprises, the method comprising:

receiving, a message comprising high level data (col. 1, lines 23-31) and a request to process the data by a server, running a target application program for processing of the data (FIG. 4, FIG. 7, col. 7, lines 5-40);

converting the message into an MQ message using a message queuing protocol (Smith teaches of converting the message into an MQ message using a message queuing protocol in order to deliver the data as an MQ message to the queue, e.g., col. 7, lines 5-26);

encrypting the MQ message using a security protocol to provide a secure MQ message (Smith uses Secured socket layering and secure HTTP to ensure connection security at the endpoints, e.g. see – col. 10, lines 15-35 and col. 7, lines 5-40); and

transmitting the encrypted MQ message to a first queue manager for storing and retransmission at a time when the network is suitable for transporting the message to the server (FIG. 4, col. 7, lines 5-25, “....may also store the messages in a persistent state until they can be delivered successfully...”, see also column 10, lines 15-35 and col. 7, lines 5-40).

Smith doesn't use the claimed invention in a hub and spoke integration system. However, Grovit discloses a agent acting as a spoke in a hub and spoke integrating system and a server acting as a hub in another hub and spoke integrating system (Grovit, [0114]-[0115], [0117]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Smith as taught by Grovit in order to simplify the workflow and minimize timing issues in a business process integration by implementing hub and spoke architecture.

7. As to claim 19, Smith discloses wherein the high-level data comprises customer information (co. 1, lines 15-30).

8. As to claim 20, Smith discloses wherein transmitting the MQ message further comprises using a hypertext transfer protocol (col. 10, lines 5-25).

9. As to claim 21, Smith discloses wherein transmitting the MQ message further comprises a secure socket layer protocol (col. 10, lines 15-25).
10. As to claim 22, Smith discloses wherein transmitting the MQ message further comprises a hypertext transfer protocol over a secure socket layer (col. 10, lines 5-25).
11. Claims 5 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feldbaum (Patent No.: US 6,446,206 B1) and further in view of Perry et al. (Pub. No.: US 2003/0220768 A1) (hereinafter "Perry") and Grovit.
12. As to claim 5, a method for integrating applications hosted at different enterprises separated by at least one firewall, the method comprising steps of:
- Feldbaum discloses receiving at an agent, data from a source application program (FIG. 3, col. 5, lines 15-45, ".....the message queuing system allows an application on one machine to send a message to another application on a different machine in an asynchronous manner");
- encoding the data according to a message queuing protocol to provide an MQ message (col. 5, lines 38-60);
- determining whether the MQ message can be received by a target application program (col. 5, lines 38-60 and col. 8, lines 29-60); and
- using a queue manager for:

receiving the MQ message (col. 5, lines 38-60 and col. 8, lines 29-60);
storing the encrypted MQ message for later delivery to the target
application program (col. 5, lines 38-60); and
sending a message to the source application program instructing the
source application program to stop sending data (col. 5, lines 38-60 and col. 8, lines 29-60),

if the destination program is unable to received the MQ message (col. 5, lines 38-60 and col. 8, lines 29-60); else

transmitting the MQ message to a server for delivery to the target application
program, running the target application program when the target application program is
ready to receive said encrypted MQ message (co. 8, lines 29-60).

Feldbaum doesn't explicitly disclose an agent acting as a spoke in a hub and
spoke integration system; encrypting the MQ message to provide an encrypted MQ
message; receiving and transmitting encrypted MQ message; the server acting as a hub
in another hub and spoke integration system.

However, Perry discloses encrypting the MQ message to provide an encrypted
MQ message, receiving and transmitting encrypted MQ message (Perry, [0074]).

Therefore, it would have been obvious to one of ordinary skill in the art at the
time of the invention was made to modify the teaching of Feldbaum as taught by Perry
in order to increase the security of transmitted message over the public network.

Neither Feldbaum nor Perry use the claimed invention in a hub and spoke
integration system. However, Grovit discloses a agent acting as a spoke in a hub and

spoke integrating system and a server acting as a hub in another hub and spoke integrating system (Grovit, [0114]-[0115], [0117]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Feldbaum and Perry as taught by Grovit in order to simplify the workflow and minimize timing issues in a business process integration by implementing hub and spoke architecture.

13. As to claim 8, Feldbaum discloses further comprising maintaining a record of the messages received from the source application program (FIG. 3, col. 5, lines 10-60).

14. As to claim 9, Feldbaum discloses wherein the record of the messages received from the source application program comprises information on the number of messages received (FIG. 3, col. 5, lines 10-60).

15. As to claim 10, Feldbaum discloses wherein the record of the messages received from the source application program comprises information on type of messages received (col. 5, lines 10-60, "...the MQ server maintains a plurality of message queues").

16. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are

applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Response to Arguments

17. Applicant's arguments filed October 28, 2008 have been fully considered but they are not persuasive.

18. Applicant argues regarding claims 18-22 that: "Smith provides to teaching of security of data, encryption of data, internet, nor firewall support."

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "security data", "encryption of data", and "firewall support") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

19. Applicant argues regarding claims 18 and 5 that: "The language "acting as" limits the scope of the claims and is not just indicating an intended use. Nevertheless, to

clarify the interpretation, claims 18 and 5 have been amend to delete the "acting as" language."

Examiner thanks the Applicant for clarifying the claim interpretation with further amendment. However, it should be noted that Grovit discloses a agent acting as a spoke in a hub and spoke integrating system and a server acting as a hub in another hub and spoke integrating system (Grovit, [0114]-[0115], [0117]).

20. In response to applicant's argument regarding claims 5 and 8-10 that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "data to be transmitted over the internet using HTTP; providing security for the data using HTTPS and encryptions; messages to be typed high level business objects such as Customer and Orders") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

21. In response to applicant's arguments regarding claim 5, the recitation "data to be transmitted through firewalls" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand

alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Conclusion

22. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUMAN DEBNATH whose telephone number is (571)270-1256. The examiner can normally be reached on 8 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2435

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. D./

Examiner, Art Unit 2135

/Kimyen Vu/

Supervisory Patent Examiner, Art Unit 2435